## NEW YORK CITY.

THE COURTS.

UNITED STATES CIRCUIT COUST.

The Callicett Onse-Important Decision.

Before Judge Nelson.
In the Matter of Theophiius C. Callicott's petition
r Habeas Corpus.—The petitioner was convicted
the Circuit Court of the United States for the n district of New York on the 27th of May nue acts of July 13, 1866, and March 2, 1867, indictment contains nine counts. The first five bunded on section thirty of the act of 1867 and amder on sections forty-two and forty-five The jury found a verdict of guilty on all the The first three counts charge the petitioner, niawfully conspiring together to procure, and that ney did procure the execution of a certain false and they did procure the execution of a certain false and fraudulent bond, that is to say a bond for the transportation of 200 barrels of distilled spirits, as required by law, from a bonded warehouse, purporting to be a valid and satisfient bond, whereas in truth, the name of the principal was not genuine and the surfaces were wholly worthless and insufficient, as the said petitioner and his surfaces well knew, and by means of winch the said 200 barrels of distilled spirits were fraudulently removed on the permit of the said petitioner, without payment of the tax, and in fraud of the government.

The fourth count charged a conspiracy to defraud the government by the fraudulent issue of a permit by the petitioner, as collector, for the removal of distilled spirit from the bonded warehouse, without the payment of the tax, and by means of which the distilled spirits were removed and the government effauded.

The fifth—a complicacy to affected the government.

by the unlawful removal without the payment of the duty. The sixth count—That the petitioner and others randulent by connived at the execution of a certain alse and fraudulent bond, for the transportation of alse and fraudulent bond, for the transportation of sixthlied spirits from a bonded warehouse, without the payment of the tax, by means of which the said listilled spirits were afterwards removed without payment. The seventh eighth and ninth counts—That the petitioner and others did unlawfully and randulently remove distilled spirits from a bonded warchouse, not allowed by law to be removed, and a fraud of the government. We have said the first vice counts are founded on the thirdest section of the act of 1857, which is as follows:—That if two or more persons conspire either to commit any offence against the laws of the United States or to defraud the United States in any manner whatever, and one

the act of 1857, which is as follows:—That if two or more persons conspire either to commit any offence against the laws of the United States or to defrand the United States in any manner whatever, and one or more of said parties to said conspiracy shall be deemed guilty of a misdemeanor." Act to effect the object thereof, the parties to said conspiracy shall be deemed guilty of a misdemeanor." Act is quite clear—indeed we do not understand it to be dearled—but that these counts are well sustained by the above provision. The question raised, and upon which the petition for the habeas corpus is Sounded, is that this section has been repealed by a subsequent act, passed January 11, 1808, which is as follows:—"That from and after the passage of this set no distilled spirits shall be withdrawn or removed from any warehouse for the purpose of transportation, redistillation, rectification, change of package, exportation or for any other purpose whatever until the full tax on such spirits shall have been duly paid to the collector of the proper district, and all acts and parts of acts inconsistent with the provisions of this act be and they are hereby repealed." The fortieth section of the act of July 13, 1866, and the execution of a transportation bond as there prescribed. This provision is certainly repealed, and without any saving clause. And the real question in the case is, what effect has the repeal of this clause upon section thirty of the act of 1867, upon which the first five caunts of the indictment rest? It is admitted that the puttioner has been tried, convicted and sentenced since the passage of the repealing-act, and if that act has had the effect to repeal section thirty we agree that the jurisdiction of the court fell with the fraudent procurement of a transportation bond, required by the fortacth section of the sect of 1867, upon which the fraudent procurement of a transportation bond, required by the fortacth section of the court fell with the fraudent, and which was preved on the trial requiring suc

affith charges the conspiracy to defraud the government to consist in the unlawful removal from the warehouse without the payment of the tax.

Now the offence, under the thirteenth section, consists, among other things, in two or more conspiring to defraud the government in any manner whatever, in a case where one or more of the parties to the conspiracy shall do any act to effect the object—that is, to effect the fraud. It will be seen that the effence, as laid in these two counts (fourth and fifth, is complete, irrespective of any removal bond, which is claimed to be repealed, and in respect to which counts the bond does not contain an element of the offence, and hence the repealing act has no application. The offence in both counts is the conspiracy to defraud the government, and the act done, as laid in one of the counts, to effect the object, is the issuing of the permit, and the removal of the apprits without the payment of the tax; and in the other the act done is the fraudiant removal of the spirits without the payment of the tax; and in the other the act done is the fraudulent removal alone without the payment, which is sufficie within section thirty to constitute offence; and these counts, within the setting practice and rules of pleading in criminal cases, are sufficient, even on an arrest of judgment, to sustain the country of safficient, even on an arrest of judgment, to sustain the conviction and sentence, assuming all the other counts to be bad; and, if so, this writ of habeas should not be granted. As this view, in my judgment, disposes of this application, we shall not look must the question as to what effect the repealing act of 1868, as it respects the transportation bond, has apon the other counts in the indictment; nor have we formed any opinion on the subject.

The objections found upon the entering of the sentence in the first instance, on the wrong indictment, but afterwards corrected, and other formal matters, we think, are all untenable. The entry in the record of the proceedings were all in due form. Motion denied.

## UNITED STATES DISTRICT COURT.

The Alleged Resemberg Naturalization Frauds.

The United States vs. Benjamin B. Rosenberg.— This case, in which three indictments are presented for trial against the defendant, was set down for yesterday morning. The court room was crowded by persons eager to witness the hearing of the case bee a Judge of the United States Courts. The attendance of the legal profession was also greatly in advance of that which marked the hearing of the case before the Commissioner. There are hinen in-dictments in all, and a consequent large array of counsel have been employed to enter the lists and do battle for the cause of the prosecution and defence. Motion for postponement. The case to be remitted to the United States Circuit Court.

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Motion for postponement.

The case to be remitted to the United States Circuit Court.

Mr. Stoughton, one of the associated counsel for the defence, on rising said:—May it please your Honor, there are several of these cases in which indictments have been cound against parties in Orange county and against other parties residents of this city, and as I have just mentioned to the learned District Attorney that i have been engaged as counsel in these cases only within the last twenty-four hours, it has been impossible for me, devoting all the time I had, to give such an examination to them as the magnitude and interests at stake deserve. I have a leo stated to the learned District Attorney that I am sure there will be no delay interposed on the part of the defendants, some of whom are members of the bar from a neighboring county. I repeat to the Court, on my own responsibility, that there will be no delay which has most critical prosecutor can surgest as unreasonable. What we ask is that these cases stand over two or three days until such an examination of hem—such an examination as while enable counsel to determine what course they will pursue conpresenting them to the Court. I am extremely sorry, after the directions given by the Court that these cases should stand over till to-day. I regret that i am now obliged to ask your Honor for a further postpone ment. But the Court may be assured that when the time saked for expires such a course will be taken as i trust will commend itself to the Court.

Mr. Courtney, on the part of the government, regretted that counsel on the other side were not prepared to go on with the cases at once, at the same time the reasons advanced by the learned counsel may case. Ho would assure the District Attorney, however, the fullest time to prepare the cases and to submit all the important legal questions involved in them.

Mr. Stoughton in reply said that it was not his habit, eit

in these case. He had seen three of them—three against the lefendant Rosenberg, and he had just looked at them enough to see what was the offence charget. It could, therefore, speak with regard to those three and also on the assumption that to a certain extent the other indictments presented very much the same questions. The Court assumed that counsel on making this suggestion did it on the ground that the defence were not yet prepared to determine that course to take in defence of the indictments—whether to plead to the indictments—whether to plead to the indictments—whether to plead to the indictments of demur. The Court may very reasonably andproperly anticipate the question of jurisdiction—t e question of the scope of the statute under which the Indictments are found may come up; and he supposed that counsel, in making the suggestion low, are not prepared to say exactly what course they will take. He had some of the questions involved in this indictment presented to his mind in consultation with Judge Benedict, when the latter was examining them with a view of charging the Graif Jury.

Mr. Stongtion referred his Honor to a decision by Judge Curtis, where eases of this kind had been re-

the latter was examining them with a view of charging the Graff Jury.

Mr. Stoughton referred his Honor to a decision by Judge Curus, where eases of this kind had been remitted from the District Court to the Circuit Court. With reference to those particular cases and with regard to the general subject and the public questions involved, it was certainly important that these cases should be passed upon by a tribunal that will carry with 1s decisions that weight and force that such important questions demanded.

Judge Bitchford said that as Judge Nelson will be here on Wedneschy to take his seat in the Circuit Court, it was eminently proper that the indictments should go to the Circuit Court, and if Judge Nelson should desire it he fludge Blatchford; would sit with him in hearing of the arguments of the legal questions involved in the case. This course would interpose no delay; the tiegal points could be discussed in the Circuit Court, and if the decision of the Court shad be that the trail of the case be proceeded with in the indictments the indictments can be remitted tack to the District Court under the provisions of the third section of the act of 1846. After some furtherdiscussion the case was postponed till to-nortow norming, when it will be brought up before Judge Nelson sitting in Circuit.

# UNITED STATES COMMISSIONER'S COURT.

The Atleged McHenry Perjury Cases.

Before Commissioner Osborn.
United states vs. John D. McHenry.—In this case there were two charges of perjury preferred against the defendant, on two separate amdavits one sworn to by S. N. Pike, the other on an amdavit sworn to by Charles Loeb. The testimony of the witnesses in this case, with all the circumstances witnesses in this case, with all the circumstances of the case, have been fully reported in the Herallo. On the charge of perfury on the affidavit of Charles Loeb the Commissioner discharged the dendant on the ground that there was not sufficient and competent proof to hold him for trial, there being but one witness to support the charge, with no testimony or circumstances from other witnesses to corroborate Loeb's testimony.

On the affidavit of Pike the Commissioner holds the defendant for trial, and there are two witnesses in the case supporting the charge.

in the case supporting the charge.

McHenry gave ball in \$5,000 and was discharged.

The Kentucky Bourbon Company Case.

The United States vs. Messmore and Others.—The
hearing in this case has been set down for an early

The Watson-Creary Whiskey Case. The United States vs. Watson & Creary.—The

## SUPREME COURT-CHAMBERS. The Quarantine Commission. Pefore Judge Sutherland.

In re the Application of the Commissioners of Quarantine to Appoint Commissioners of Estimate, &c.—This was a motion by the Commissioners of Quarantine for the appointment by the Court of a commission to estimate and appraise the value of property located at or, in fact, comprising the west-

commission to estimate and appraise the value of property located at or, in fact, comprising the westerly end of Coney Island, taken under an act of the Legislature authorizing commissioners to take ground, upon which are to be constructed residences for the Health Officer of the port of New York and for the men engaged at Quarantine. It is claimed to have been erroneously inserted in the Supply bill, instead of being a separate and wholly distinct act, the subject matter of it being local. The town of Gravesend, together with the individual owners of the property, opposed the appointment of Commissioners on the ground that the act itself was unconstitutional, and that the proceedings of the Commissioners, under the act, in selecting the site were unjust and illegal.

B. G. Hitchings, appearing in opposition to the motion, claimed in his argument that the act was unconstitutional, directing the land to be taken, in not being an independent bill; that the property was sought to be taken-for residences, and that such appropriation of the territory was not applying it to a public use, but for a private purpose. The constitution does not permit the taking of the property of private ladividuals against their protest and wish for private enjoyment or use; also that the act provides no adequate means of obtaining compensation for the land by the holders and owners thereof, \$25,000 being the amount appropriated by the bill for the property of the property and the crection of buildings. Instead of fairly selecting a site for the residence of the Boundard and some ten or a dozen men in his employment the Commissioners had taken about forty-five acres of land, embracing the entire west end of Coney Island and all the water front capable of being used for steambout piers or landing places, thus completely cutting of the remainder of the island from communication by o effect the objectil be seen that the
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so large a tract of territory was a hidden and ulteror
one.

Mr. Johnson appeared on behalf of the Commis-

so large a tract of territory was a hidden and ulterior one.

Mr. Johnson appeared on behalf of the Commissioners of Quarantine and argued that the act was not unconstitutional, as the subject of the bill was one of general interest and concern instead of being local. The use to which the property was to be applied also was essentially, under the act creating the Board of Quarantine Commissioners, a public one. The act provided for the acquirement and possession of suce for hospitals, boarding stations, storehouses and "residences!" for the employes of the department, &c., and it could not be claimed that the providing of domiciles for employes in the public service who were necessarily remote from the city was an appropriation for private use. The Court at the close of the argument reserved its decision.

## SUPREME COURT-GENERAL TERM.

The Zion Church Muddle on Appeal. Before Judges Barnard, Ingrahm and Cardozo.

The People ex rel. Montagnie Ward et al., Appel tants, vs. John H. Thompson et al., Respondents.— The relators were candidates for the office of vestrymen of Zion church at the annual election, April 15,

mep of Zion church at the annual election, April 16, 1868. The defendants were returned as elected, and this action was brought to test the validity of the certificate in their fayor. At the circuit, the Court decided that the defendants were duly elected and dismissed the compaint.

Zion church was incorporated under the statute relating to Protestant Rpiscopal churches. In the winter of 1863-4 it established a chapel, which was under the control of the vestry, and supported mainly by the contributions of the congregation of the parent church. At the election seven persons were atimitted to vote whose usual place of worship was the chapet, as distinguished from the parent church and the question at issue is whether the ruling at the circuit that these seven persons were qualified voters is correct.

The case came up before this Court yesterday on appeal from the order of Judge Barnard at the circuit dismissing the compaint, and the grounds urged by counsel were substantially the same as those argued at the trial on the motion for the dismissing, and which were reported in the Herald at the time.

Wheeler H. Peckham appeared as counsel for the

missal, and which were reported in the time.
Wheeler H. Peckham appeared as counsel for the appellants, and S. P. Nash on behalf of the respondents.

## COURT OF OVER AND TERMINER.

Charge to the Grand Jury-Violations of the Election and Lottery Laws, and the Excise and Emigrant Acts to be Investigated. Before Judge Barnard.

In the Court of Oyer and Terminer yesterday morning the Grand Jury, composed of the following named gentlemen, was charged in reference to its duties:—Charles H. Haswell, foreman; Edward Schliechting, Ralph Bogert, Thomas Woodward, Samuel I. Montgomery, Henry D. Feiter, William Lynch, Morgan L. Harris, James B. Brady, Charles H. Deisvan, David S. Faige, Henry Hart, James Lynch, Anthony Dugro, Patrick G. Maloney, William Witters, William P. Fearle, Joseph H. Tooker, William J. Peck, Morgan Jones, Jeremiah Millbank.

In his charge Judge Barnsrd called the attention of the grand inquest to the election laws of the State, and said it was their duty to investigate any cases of fraud in the elections which they found required examination. The statutes were ample and explicit on the subject, and the District Attorney would assist them if they desired any said in their deliberations. He then briefly called attention to the lottery, excise and passenger acts, and directed the jurors to do their duty without fear or favor, and as good citizens to deal uprightly with the Important trusts and duties reposed in them.

The jury then retired. In the Court of Oyer and Terminer yesterday morn

COURT CALENDAR-THIS DAY.

whose death resulted from scalds received on Wednesday last by failing backwards into a pot of boiling water. Verdict of death from scalds accidentally received was rendered by the jury.

PEDESTRIAN FEAT IN PERFORMANCE OF A POLITI-

CAL WAGER .- Mr. John B. Gibbs, of this city, having made a wager with a gentleman that if Connecticut did not give Seymour 2,000 majority he would walk from New York to Hartford, bearing an American mag inscribed with the names of the successful can-didates, starts from Ninth street, between Broadway and Fourth avenue, on Wednesday morning at ton oldered.

UNION LEAGUE COMMITTEE ON ELECTION FRAUDS. The committee ordered by the Union League Club to take into consideration the whole subject of the frauds by the issue of counterfeit naturalization papers, the registration of aliens and non-residents as legal voters and the polling of filegal votes by repeaters, will hold a private meeting this evening to determine upon the final course to be pursued. The following gentlemen compose the special committee:—W. E. Dodge, Horace Greeley, Moses H. Grinnell, Isaac Sherman, Isaac H. Bailey, M. O. Roberts and John H. White.

RECEPTION AND EXHIBITION AT A GYMNASIUM. There was a reception and exhibition of calisthenics last evening at the Harvard Rooms, Forty-second street and Sixth avenue, on the occasion of the winter opening of the school for male and female pupils, under the management of Dr. Martin. The pupils, under the management of Dr. Martin. The attendance of relatives and friends of the pupils was large and of an agreeable character. The amateur performers were chiefly boys and girls, to the number of about forty, but a few aduits of either securered into the pleasing exhibition of muscular exercise with full as much zest as the younger and more lively members of the class. The performance consisted of an endices series of bodily motions, done to the accompaniment of a piano, and done with a grace and unison of action that made the exhibition very pretty and effective. The young ladies stood in line at one side of the hall and the young gents at the other. Both showed considerable proficiency, though if the palm of merit stood in question the ladies by all means deserved to receive it. The winter season of the school is now open, and will be prolonged probably till March.

## POLICE INTELLIGENCE.

ALLEGED THEFT OF MONEY AND JEWELRY .- WIIliam Johnson, colored, a waiter employed at the St. Cloud Hotel, caused to be arraigned before Justice Dodge, at the Jefferson Market Police Court, yesterday afternoon a noisy, middle aged woman, Maria Bayer, same color as complaintant, on the charge isyer, same color as complaintant, on the charge that she, while his family was absent on Saturday last, broke into their room, in same dwelling on Thirtieth street, and stole therefrom jewelry and money valued at twenty dollars. Maria denied the accusation, and in a peculiarly boisterous manner flatly told the bereaved William that he was a llar. Committed in default of \$500 ball to answer at the Court of Special Sessions.

ALLEGED LARCENY OF DRY GOODS.—Simon B. Kahnweisler, No. 425 Broadway, appeared before Justice Dodge, at the Jefferson Market Police Court.

Justice Dodge, at the Jefferson Market Police Court, yesterday afternoon, and accused John Mortimer, an exceedingly good looking young man, of calling at his place of business and, before he could be spoken to by any of the attendants of taking from beneat the counter thirty-nine yards of merino goods, valued at fifty dollars, with which he attempted to decamp, but being discovered dropped them and rushed quickly down stairs. An alarm being made John fell into the arms of officer Quinn, of the Eighth precinet, who was in that vicinity. During the accused's examination he denied having attempted to steal or even touching the property, and that his business in the store was to inquire for a friend whom he thought worked there. Committed in default of \$1,000 bail to answer at the Court of General Sessions.

## MUNICIPAL AFFAIRS.

The City Fathers After Peter Cooper-T

Loew Bridge Doomed at Last.

Now, that the simoom of the national political contest has passed, and all parties having laid so low that it went over them without materially injuring hem, the City Fathers have risen from the dust recent political warfare and have turned their atten-tion to the disposal of the legislative work which has een accumulating during some weeks past.

been accumulating during some weeks past.

They met yesterday, pursuant to call, at two o'clock, and proceded without delay to put things through. The President, Alderman Coman, was in the chair and all the members in their places when the roll was called. There was no time lost in disposing of the preliminary business. Then there were numer-ous papers of no general interest brought up and referred to committees or laid over as the rules require. Several resolutions in regard to flagging, paying and lighting several streets and avenues, paving

having and nighting several speeds and avenues, billedy up town, were adopted.

Adderman Coultra introduced a resolution, which was adopted, requiring the James Slip and Hunter's Point Ferry Company to inform the Board by what suthority they charged ten cents per barrel for resignt on the ferry bars.

Point Ferry Company to Inform the Board by what anthority they charged ten cents per barrel for freight on the ferry boats.

A cooper union accounting.

The so-called Oilizens' Association, over the signature of a venerable individual, has from time to time been poking large rolls of soft paper and hard figures at the different departments of the city government; but, as they have generally falled to substantiste the display made on tissue, the Aldermen seem determined to give the endorser an opportunity to try his hand once more. This, no doubt, was the reason which induced the introduction and passage of the following:—

Resolved, That the trustees of the Cooper Union for the Advancement of Science and Art be and they are hereby respectfully requested to report to this Common Council, at the earliest practicable period, a detailed statement of the receipts and expendition, the purpose or object for which such money was paid or recovered; also the value of the premises and appartenances occupied and used by the institution; the amounts of water rents, &c., remitted by the Common Council and such other information as in the ophision of said trustees may be accessory or useful to the public.

A special committee, consisting of Aldermen Norton, Cuddy and Wari was appointed to see that the requirements of the above resolution were carried out, and to them was granted power to send for persons and appare to aid in elloiting the information required.

This matter having been happing disposed of, the

out, and to them was granted power to send for persons and papers to aid in eliciting the information required.

This matter having been happily disposed of, the Board turned its attention to the iron structure which clogs Broadway at Fulton street. Alderman Norton opened the subject by presenting a presmile and resolutions, which set forth the fact that the supreme Court of the State had adjudged the structure known as the Loow Bridge a public naisance, and had ordered its removal; that the decision was appealed from by the counsel of the corporation; that the Board was fully satisfied that the bridge had failed to accomplish the purposes for which it was intended, and that the action of the Corporation Counsel was not in accordance with the wishes of the Board; directed the Street Commissioner to cause the structure to be removed within five days of the date of the service on him of a certified copy of the preamble and resolutions, and to place the material at the disposal of the Park Commissioners, and ordering the Corporation Counsel to vacate his appeal and stop all further proceedings in the matter.

Alderman Norron stated briefly and clearly all

appeal and stop all further proceedings in the matter.

Alderman Norton stated briefly and clearly all points connected with the action of the corporation and the courts in the matter, and narged upon the members the propriety of adopting the resolutions and taking decided and immediate steps to have the nuisance abated.

One of the members from—well, up town—wanted to have the matter referred to a committee; but the preamble and resolutions, as read, were adopted.

Resolutions were ad pited concurring in the action of the Board of Councilmen to appoint an "lindex clerk" to the fatter body at a salary of \$1,500 per annum, and to furnish the members of the latter Board with badges and staves of office.

A resolution granting permission to the residents of Eighty-sixth street, between Fifth avenue and East river, to enclose a space of fifteen feet as courty yards was referred to the committee on Reads.

The resolution increasing the salaries of the employes of the Common Council, which had been

Novel Mode of Getting "Square."

Charles Young, a reconstructed African, has been for some time the head watter of the hotel known as the Arlington House, situated on Fourteenth street, between Firth avenue and University place. Charles' situation was a lucrative one to him, and being of that character suited to his ambitious disposition he had many less fortunate men of his own color under him, who were subject to his every order. This position of authority made "de cultur'd boy" so important a personage in his own sight that he oftentimes quite forgot that others employed him and were his superiors. The evidence of this, as alleged, is that when Mrs. Nash, wife of George R. Nash, proprietor of the hotel, sent for him one day last week to give him orders relative to certain work of which he had the direction, Charles questioned her jurisdiction in the matter and ended the interview by grossly insulting that lady. Of this she immediately ap prised her hus-band, who without an instant's delay "went for"

band, who without an instant's delay "went for" the insolent negro, and after collaring him gently lifted him from his feet and deposited him in the street, with the injunction to call on Saturday, settle his accounts and leave forever.

Smarting under the loss of such a lucrative, such an authorative situation, Charles, after arraying himself with a nobby suit of the latest style, wandered around the house, and when meeting with any of its employés boasted, it is still further alleged, in a lond and swaggering way, that he didn't "care a d—n for Mr. Nash," that "he couldn't hurt him," and that "he would get square on him, you bet." And "de boy" meant what he said, as on Saturday morning, calling to "count his silver" and settle accounts, as directed by his employer, he, after loitering about the house a while, met the beil boy, Wim. Woody, another Ethiopian, and with him "put up the job" to "get square with that old fool, Nash." It was in this wise:—

another Ethiopian, and with him "put up the job" to "get square with that old fool, Nash." It was in this wise:

At the end of each week the bookkeeper of the hotel is in the habit of making out the bills of each of the permanent boarders for that week and sending them through the house for collection by Woody. This work he has long been entrusted with, and always honestly and faithfully performed it. When meeting Woody on Saturday, Charles at once, as alleged, put his plan into execution, and proposed to the former that "now was the time to make a good stake, that they could collect the amounts called for by the bills and get away with it without any one knowing it." Woody fell—the temptation proved too strong, the brillant picture made him a victim to the shrewd trap laid by his tempter, and with Charles at his back, eighty-one doffars was at once collected from his guests and both decamped from the house, Charles fully satisfied that he at least was "square." A few hours afterward, missing Woody, the cierk of the hotel found out what had been done, and at once repaired to the Fifteenth precinct police station, where, upon being advised of the embezzlement, the matter was taken up by detective Tully, of that precinct, who, after a search of an hour or so, found "deculier'd Charles structing up Broadway as large as life, a picture of perfect contentment and self satisfaction. It was but the work of a few minutes to arrest him and take him to the station house, where he remained until yesterday noon. At that time Charles was taken to the Jefferson Market Police Court, when Justice Dodge, examined the matter patiently, but as Woody has not been arrested, and the accused (Young) denied emphatically that he knew anything about the missing funds, nor did be knew of the bell boy's whereabouts or of his intention of embezzlement, the facts upon which a complaint could be taken were silm, but Mr. Nash insisted, and Charles was locked up to answer the charge at the Court of General Sessions in default of \$500 ball.

## REAL ESTATE MATTERS.

The price of land is looking up in Edgecombe

county, N. C. Three parcels of land in that county, which sold last winter for \$3,255, were sold recently for \$5,385. Among the land sales in Farquier county, Va.,

last week were the dower land of Mrs. Rector, near Rectortown station, 165 acres to Ralph Murray, of New York, at \$40 50 per acre, and 100 acres of th Grafton estate, near Salem, to S. P. Baily, for \$40 per acre. ner Wilson, of the General Land Office

Washington, on Saturday last received returns showing a disposal of 27,221 acres of the public domain during the past month, at the following local offices:—Lincoln, Neb., 11,798 acres; Taylor's Falls, Minn., 7,146 acres; Boonville, Mo., 8,277 acres. Nearly all land disposed of was taken up by actual settlers under the Homestead law. A three story brick dwelling in Charleston, S. C.,

A three story brick dweiling in Charleston, S. C., known as No. 37 Pitt street, containing six large rooms, with extensive outbuildings, the lot measuring 75 feet front by 225 deep, was sold recently for \$3,750 cash.

The Eric Railroad will soon build a new route from Ramapo to Newburg, shortening the distance between Newburg and New York city thirteen miles.

William C. McFadden has purchased a piece of the low ground on Cowden street, between Briggs and Foster streets, Harrisburg, Pa., containing about two acres, from General Foster's executors, for \$16,500.

It is stated by the Flushing (L. I.) Journal that Superintendent White, of the Southside Railroad Company, says that road will be open to Sayville in graded nearly lo Patchogue, and trains will be running through to the latter place by the middle of this month.

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Fourteen acres of land, situated in Alexandria county, Va., near the aqueduct bridge, were sold recently, at private sale, by Septimus Brown, to W. B. Lacy, of Washington, for \$1,500.

Thirty acres of the Hoover estate, in Fairfax county, Va., just beyond the Alexandria aqueduct, were sold a few days ago for the sum of \$100 per acre. Land adjoining is now held at \$150 per acre. The East Pennsylvania Raliroad Company have purchased fifteen acres of land in North Bethiehem, Pa., for the purpose of building a depot as soon as the extension of the road is completed to Easton. The ground cost \$15,000.

A Harrisburg, Pa., paper says a number of new houses are being commenced at this late season of the year, and we fear there will not be sufficient time to complete them. The city has been improved more during the summer just closed than at any time previous, and by what we understand the spirit of improvement will be largely increased by spring.

Recent sales of land in Newberne, N. C., including two storehouse, lous were 1,250 acres, which amounted to \$11,450.

Jonathan Beans, of Eleventh district, Baltimore county, Md., has sold his farm, containing las acres, to D. H. Twining, of Harford county, for \$00 per acre.

Dr. Huebsch's congregation in this city have

county, Md., has sold his farm, containing 130 acres, to D. H. Twining, of Harford county, for \$00 per acre.

Dr. Huebsch's congregation in this city have bought lots in Madison avenue, near Forty-fifth street. They contemplate erecting a new synagogue.

The price paid for the skating rink land on Tremont street, Boston, Mass., was \$40,000. Its contents are 80,572 square feet.

A local paper says:—If the number of new stores of various kinds which have been established in our city this fall be any criterion of its prosperity, Wilmington, N. C., is doing axceedingly well just now. The reversionary interest of two lots of land in Newtown, Va., was sold recently for \$505.

The following are among late real estate transfers in and near Dotroit, Might:—Humphrey Owen to Thomas S. Reath, lot No. 9 of the Woodward section of the Louis Moran farm, on the north side of Congress street, between Hastings and Rivard street, and also the lot adjoining, 44 feet wide, for \$4.97. Delia S. Wheeler to Elias W. Jones, the west half of lot No. 9 and 7% feet in width of lot lot in block 55 of the Cass farm, on Lewis street, between Pirst and Second streets, feet in width of lot lot in block 55 of the Cass farm, on Lewis street, between Pirst and Second streets, for \$3,000. Hubbard executors to John Phillips, lot 55 of Houghton section of the Brush farm, being 46 feet from by 90 feet deep on Brush street, between Harriett street and Adams avenue, for \$1,500. Oriendo B. Wilcox to D. M. Ferry, the northern half of lot 41, east side of Woodward avenue, for \$1,500. Horatio N. F. Lewis to Wm. Livingstone, Jr., lots 21 and 22 of smolivision of park lot 74, corner of Fagg and Park streets, for \$4,500. Cleaveland Hunt to James Dewey, the west half of the west half of it 40, east side of Woodward avenue, between Elinwood and Mount Elliot avenue, for \$7,6000. Dewitt C. Holfrook to Charles Branck, lot 13 of the Subdivision of park lot 74. Corner of Fagg and Park streets, for \$4,500.

AND SET 1. THE STATE STA 7,000

Gixtu.

Clarkson av. s. a. dipining John Murphy's, Flatbush, house and lot, 50x100.

Remsen, J. S. St e of Hicks st, house, lot and furn Yan Buren st, a. 25 f. v of Franklin av. 20x9. 3.

Van Buren st and Stayvesant av. s w corner, 50x100...

Van Buren at and Stayvesant av. s e corner, 35x100.

Lafayette av. n. s. 200 ft e of Lewis av. 35.7x161.11x25x

188.4. Van Buren at and Stayvesant av. s e corner, 3.5.2100. Lafayetta av. n s, 200 ft e of Lewis av, 35.7x161.1x25x 196.4. Lafayette av. n s, 150 feet e of Lewis av, 35.7x110.3x 25.135.7. 201135.7. Van Buren at, a s, 285 ft w of Pranklin av, 20:97.1x2)x 97.3.... Van Buren at, as, 285 ft w of Franklin av, 2037, 1252, 97.3.

Bedford av, e.s. 100 ft sof Lafsyette av, 40x100.

Wallabout road and Walworth at, s. e corner, 67.11x35x, 59.4x25.5.

Washington at, w.s. 73.5 ft s of High at, 30x101.2.

Norn, 3d place, s. 75 ft w of Smith at, 75x133.5.

Sch at, as, as, 175 ft w of Smith at, 75x133.5.

Sth at, as, 175 ft w of Smith at, 75x130.5.

Sth at, as, 175 ft w of 2d av, 175x200.

Sth at, as, 120 ft w of 4th av, 125x200.

Sth at, as, 120 ft w of 6th av, 200.4x50x100.2x25x100.2x25.1,250

DoKalb av, ns, 19.2 ft e of Vanderbilt av, 51x35.8x257.

St. 10x54x21.

St. 10x54x21.

Evergreen av, w.s. 50 ft n of Conselves at, 25x100.

So.10z6421. Evergreen av, w a, 50 ft n of Conselyea at, 25x100. Franklin av, w a, 75.2 ft n of Willoughby av, 25x100

7th st, w s, 43 ft n of Susset av. 2xt 10.

Centreville road, w s, A Becker property, 4½ acres... 600 1

OBANGE.

Day st, e s, M Mohor property, 2 x 2... 3,000

EAST ORANGE.

Sussex av, n s, 75 ft e of Stering st. 25x168... 223

WEST GARNGE. 223

"VOUDODISM" AND WITCHGRAFT IN THE SOUTH.

"YOUNGORSM" AND WITCHERAFT IN THE SOUTH.

A Curious Case of Negro Superstition.

(From the Meridian (Ga.) Mercury.)

We heard of a case yesteriary, at Marion, which strongly illustrates the negro's natural tendancy to Youdooism. A negro by the name of Clay came to Marion something more than a year ago from Indiana, where he had lives during and previous to the war as a freeman in the full enjoyment of all the educational privileges the negro worshipping people of that State were disposed to vouchsa'e. He set up a negro school, and very soon became a great light among his race as a teacher of the young in the "rudiments" and of the old in the knowledge of their political and social rights. We do not know, but suppose that he has been operating under the suspices of Northern teacher of the young in the "rudiments" and of the old in the knowledge of their political and social rights. We do not know, but suppose that he has been operating under the auspices of Northern educational societies for the enlightenment of the poor negro in the South, and was deemed eminently fit for the noble task. Of late Clay has fallen into bad health, and firmly believes that he has been conjured by old Frank Clinton, with whom he has been boarding. By his witchery and devilish aris he believes that old Frank has filled him chock full of lizards, bugs and vermin. He sent for a "doctor," who has a great reputation for exordising devils and breaking the "speis" of sorcerers. (This great doctor lives in Meridian, but we never heard of him before.) Clay says that he is improving under his treatment. He has got rid of three great be so bugs—the big black bug, considerably bigger than a June bug, that invades one's chamber of a summer night, to buzz and thump around the room. The doctor laid him on his back and working his leasup and down, like a pump, succeeded, so Clay avers, in pumping a peck of wood lice out of him. The lizards are as yet beyond the doctor's art to cast out, and Clay firmly believes he is full of them. The way he says Frank filled him with lizards was this—He caught a water dizard out of a spring, cut its hear off and put it into a bottle of water, and, as opportunity offered, gave it to him to drink, and thus charged his corpus with the tormenting reptiles.

The negroes about Marion believe in Clay's having been "tricked" by old Frank. As a proof of it. Frank was recently tried before the church, and among the specifications was gravely alleged line charge of conjuring Clay. He was convicted, and not only expelled from the crurch, but a conmittee waited on him and ordered him to leave in twenty-four hours upon pain of death. Frank du not leave, but it is believed was in mortal terror. The sheriff had a warrant to arrest him for stealing, and yesterday for the first time be put himself in

## MARRIAGES AND DEATHS.

Married.

Married.

Browning—Marbury.—On Thursday, November 5, at the residence of the bride's parents, by the Rev. G. H. Norton, Thomas B. Browning, of this city, to Alick V., daughter of W. H. Marbury, of Alexandria, va.

Burgess—McDonald.—In this city, on Monday, November 9, by the Rev. Dr. Parsons, Grorge H. Burgess to Mary A. McDonald.

Curtis—Berd.—On Thursday, November 5, at Christ church, by the Rev. P. W. Eure. S. S. Curtis, of Keckuk, lows, to Karg, second daughter of J. D. Bird, of this city.

English—Anderson.—In Springfield, N. J., at the residence of the bride's parents, on Thursday, November 5, by the Rev. W. L. Moore, assisted by the Rev. O. L. Kiriland, Alfred Alexander English, of New York city, to Sara Earle, only daughter of Robert C. Anderson.

Hennessy—Magke—On Thursday, November 5, at the Church of St. Francis Xavier, by the Rev. Isadore Dandresse, S. J., Henny J. Hennessy to Julia M. E. Magke, all of this city.

Miner—Whitz.—In Brocklyn, on Monday, November 9, by the Rev. A. P. Futnam, Joseph H. Miller, No Cards.

Ther—Voorbeets.—At the residence of Mr. John H. Tier, Flainfield, N. J., on Thursday evening, November 5, by the Rev. Mr. Hiss, Mr. Wasu I. Tier, of Rabway, N. J., to Miss Emma J. Voorbeers, of the former place. No cards. Plenty of cake.

ALLEN, -On Sathrian, November 7, Benjamin W.
Allen, as the sat very of in a 22.
The relatives and frem s of the family are respectfully in the family are respect, at the family are respectively.

o'clock.

Breslin.—On Monday, November 9.
Breslin, wife of Dennis Breslin, in the

her age.

Her friends and relatives are respectfully invited to attend the funeral, from her late residence, No. 410 East Seventeenth street, on Wednesday afternoon, at one o'clock.

CARMAN.—On Friday, November 6, at Reed's Landing, Fla., RICHARD CARMAN, in the 41st year of his age.

CAMERON.—On Sunday, November S, at noon, CATHARINE CAMERON, the beloved wife of Daniel Cameron.

The relatives and friends of the family are respectfully invited to attend the funeral, this (Tuesday) afternoon, at two o'clock, from her late residence, 54 Chrystie street. Her remains will be taken to New York Bay Cemetery for interment.

DAY.—On Monday, November 9, after a short fillness, Marion Ghiswold Day, aged 8 months and 15 days, daughter of Nathaniel B, and Lizzie Day.

Funeral services at the residence of her parents, No. 119 West Thirty-second street, this (Tuesday) afternoon, at three o'clock. The relatives and frien is of the family are respectfully invited to attend without further notice.

DAVIS.—On Saturday, November 7, WILLIAM A. E. DAVIS, late vice principal of Grammar School No. 55. Funeral this (Tuesday) afternoon, at half-past two o'clock, from his father's residence, corner of 143d street and Tenth avenue.

DRNNIS.—On Monday morning, November 9, Gordon Dennis, in the 70th year of his age.

The funeral services will take place at the Episcopal church, Red Bank, N. J., on Wednesday afterternoon, at two o'clock. The friends of the family are respectfully invited to attend.

DILLON.—On Monday, November 9, CHARLES JOSEPH DILLON,—On Monday, November 9, CHARLES JOSEPH DILLON,—On Monday, November 4, ANNIE E., Wife of George E. Ferry, aged 22 years.

The friends of the family are respectfully invited to attend the funeral, this (Tuesday) afternoon, at two o'clock, from the residence of his parents, 208 Fifth street, near the Bowery.

FERRY.—On Wednesday, November 4, ANNIE E., Wife of George E. Ferry, aged 22 years.

The funeral took place on Friday, November 6. California papers please copy.

FLOWERS.—At Jamesport, L. I., at the residence of her son-in-law, Tappin Reeve, Mrs. Elizaketh Flowers, Hornerly of Brooklyn, in the 89th year of her age.

The remains will be taken to Hempstead for interment. Relatives and friends of the family are invited to attend the funeral, this (Tuesday) afternoon, at half

A half-past two O'clock, from the Presbylerian church.

Greene.—On Monday, November 9, after a long illness, Mary, the beloved wife of Frederick Greene.

The relatives and friends of the family, also the members of Polar Star Lodge I. O. O. F., No. 119, are respectfully invited to attend the funeral, from 97 Park street, on Wednesday noon, at twelve o'clock.

Higgs.—On Sunday morning, November 8, EMMA AUGUSTA DRUMMOND, wife of William Higgs, aged 20 years, 2 months and 14 days.

Funeral this (Tuesday) afternoon, at half-past twelve o'clock, from No. 332 East Fifty-sixth street, near First avenue.

Funeral this (fuesday) afternoon, at nair-past twelve o'clock, from No. 332 East Fifty-sixth street, near First avenue.

HILL—Suddenly, on Monday, November 9, at Perth Amboy, N. J., of paralysis, Mrs. ELIZA HILL, of this city, in the 68th year of her age.

Her remains will be taken to Greenwood on Wednesday, upon the arrival of the steamboat Richard Stockton at pier No. 1 North river, at 10.30 A. M. The relatives and friends of the family are respectfully invited to attend the funeral without further notice. Carriages will be in attendance at the steamboat landing.

Hopfman.—On Sacurday, November 7, ELIZA, widow of John N. Hoffman, in the Tist year of her age.

The relatives and friends of the family are respectfully invited to attend the funeral, from her late residence, 169 West Houston street, this (Tuesday) afternoon, at one o'clock. The remains will be taken to Cypicas Hill for interment.

HOPKINS.—On Wednesday, November 4, Mrs. Emma Hopkins, of Ramsgate, England, in the 44th year of her age.

year of her age. Jamison.—On Monday, November 9, William L. Jamison, age 133 years.
Notice of funeral to-morrow.
Mason.—On Monday evening, November MASON, in the 51st year of his age.

Notice of funeral to-morrow.

MASON.—On Monday evening, November 9, CHAS.

J. MASON, in the Sist year of his age.

Notice of funeral hereafter.

MODPY.—At Norwalk, Conn., on Sunday, November 8, Nancy Moody, relict of Laurin Aloody, of Unity. N. H.. in the Sist year of her age.

The relatives and friends of the family are respectively invited to attend the funeral, from the residence of her son, W. S. Moody, East avenue, Norwalk, this (fuesday) afternoon, at two o'clock.

MORRISSEY.—On Sunday, November 8, after a long and severe illness, John Morrissey, of the parish of Aushbölledgh, county Cork, Ireland, in the 47th year of his age.

The relatives and friends of the family are respectfully invited to attend the funeral, from his lateresidence, 431 East Ninth street, this (fuesday) afternoon, at two o'clock.

MODERMOTT.—On Sunday, November 8, of commotion, Mary, daughter of John and Elizabeth McDermott, in the 25th year of his age.

The friends and acquaintances of the family are invited to attend the funeral, from her parents' residence, No. 50 East Warren street, south Brooklya, this (fuesday) afternoon, at two o'clock.

MOGEARTY—Suddenly, on Monday, November 9, 1818 (fuesday) afternoon, at two o'clock.

MOGEARTY—Suddenly, on Monday, November 9, 1818 (fuesday) afternoon, at two o'clock.

MOGEARTY—Suddenly, on Monday wening, November 9, 1818 friends and relatives are re used to attend the funeral, on Wednesday afternoon, at one o'clock, from bis late residence, corner 110th street and Second avenne.

MCKINLEY.—Very suddenly, on Monday evening, November 9, 1818 o'clock, Grouge McKinley.

Notice of funeral in to-morrow's paper.

Nishwitz.—On Monday morning, November 9, 2018 is not be paided in liness. Doris, wife of Frederick Nishwitz and eldest daughter of Henry Weazel, in the 39th year of her age.

The refutives and friends of the family are respectably invited to attend the funeral, from her late residence, No. 27 South Eighth street. Brooklyn, E. D., on Wednesday afternoon, at one o'clock. The refutives and f

(fundar) morning, at haif-past eleven o'clock. The relatives and friends of the family are invited to attent.

SLOAN.—On Monday, November 9, Joseph H. SLOAN. In the 49th year of his age.

Relatives and friends of the family are invited to attend the funeral, from his late residence. Thirteenth street, between Sixth and Seventh avenues, Brooklyn, on Wednesday afternoon, at two o'clock.

SMART.—At Tremont, on Sunday, November 8, ANN ELIZA SWIFT, eidest daughter of Daniel and Elliza Smart, aged 29 years.

Funeral this (Tuesday) afternoon, at one o'clock, from the Presbyterian church at Tremont. Friends of the family are invited to attend.

STAGO.—On Sunday, November 8, ELIZA M. STAGO, in the 71st year of her age, daughter of the late Thomas Cornell.

The relatives and friends of the family, and those of her brother, James H. Cornell, are respectfully invited to attend the funeral, this (Tuesday) afternoon, at one o'clock, from St. Mark's church, corner of Ten h street and Second avenue.

STRICKLAND.—In Brooklyn, E. D., on Monday, November 9, EMILY AUGUSTA, daughter of James and Susan Strickland, in the 15th year of her age.

The relatives and friends of the family are respectfully invited to attend the funeral, on Wednesday afternoon, at two o'clock, from the residence of her parents, 244 Loriner street, Brooklyn, E. D.

TALBOT.—In South Brooklyn, on Monday, November 9, John Ignatius Talbot, of consumption, aged 1s years, third son of Mary Anne and the late Joseph Tabots.

The relatives and friends of the family are respectfully invited to attend the funeral, from the residence of his mother, First street, near Bond, on Wednesday afternoon, at two o'clock, to Calvary Cemstery. Publin and New Orleans papers please copy.

Voisin.—In Farls, France, on Saturday, October 24, Joseph A. Voisin, of this city, in the edd year of his age.

San Francisco (Câl.), papers please copy.

San Francisco (Cal.) papers please copy.

San Francisco (Cal.) papers please copy.

WILKES.—At Charlotte, N. C., on Thursday, November 3, JEANIE JEFFREY WILKES, aged 10 years an 16 months, cuild of John and Jane K. Wilkes.

Eathurge papers pleasa copy.

WILSON.—Un Sunday, November 8, Sally Wilcon, widow of Daniel Wilson, ni the 71st year of her

The relatives and friends of the family are respectively invited to attend the funeral, from her later relative, No. 21 Jamartine place, West Twenty-land, street, on Wednesday steemoon, at one

WH GUY. On Monday, November 9, ISAAC M. Washer, in the 57th year of his age.